

Kirk W. Tofte

Urbandale, IA 50322

Office of General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

MUR # 5849

2007 OCT 31 A 11:45

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

Re: Federal Election Commission Complaint

Against: Gordon Fischer, Monica Fischer, www.iowatrueblue.com

Dear Sirs:

The purpose of this correspondence is to file a Federal Election Commission complaint against the parties in caption. You will find attached to this letter more detailed information about these entities and how best to contact them.

Background Information

Gordon Fischer is a practicing attorney with Bradshaw, Fowler, Proctor & Fairgrave, P.C. in Des Moines, Iowa. He is also a past state chairperson for the Iowa Democratic Party.

Monica Fischer is Gordon Fischer's wife. In the past she has also been a senior aide to former Iowa Governor, Tom Vilsack, who is a Democrat and is currently serving with the Hillary Clinton for President campaign.

The web site, www.iowatrueblue.com, was copyrighted as such by Gordon Website in 2007. It has been, at least until the recent past, a "political blog" overseen by Gordon Fischer.

I am a private citizen in Iowa who has been a volunteer for the Hillary Clinton campaign here over the past six months. In the late spring of this year, I met Gordon Fischer for the first and only time over lunch to discuss Hillary Clinton as a candidate for president with him.

Gordon Fischer's Web Site and Endorsement of Senator Obama

On 8/15/07 the Des Moines Register reported that Gordon Fischer had called their newspaper offices to announce that his political blog, www.iowatrueblue.com, had been relaunched. Fischer was quoted as saying that, "I'm going to keep it one hundred percent positive." The newspaper report also indicated that one of Fischer's major areas of interest was campaign finance laws.

During the week of 9/17/07 Fischer requested that readers of his blog look for a special announcement by him the following Monday. On 9/24/07 Fischer announced that he and his wife, Monica, would be supporting Senator Obama for president. On the same

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morning, Gordon Fischer made himself available on a conference call to media reporters conducted by the Obama campaign.

On this conference call Gordon Fischer questioned Hillary Clinton's "change" agenda, her electability, and her ability to help other Democratic candidates "down ticket" in November of 2008. Fischer also promised to campaign for Obama throughout the fall and early winter in Iowa prior to its January caucuses. His endorsement and remarks were widely reported in the Iowa media and nationally via newspapers (e.g., the New York Times and the Washington Post) and the Internet (e.g., [www.dailykos.com](http://www.dailykos.com)).

#### Coordination Between Fischer's Web Site and the Obama Campaign

In early October of 2007 it began to be widely reported in the national media that the Obama campaign was about to "go negative" against Hillary Clinton. At almost exactly the same time [www.iowatrueblue.com](http://www.iowatrueblue.com) began to go negative against Hillary Clinton. This occurred despite Gordon Fischer's initial promise to be "one hundred percent positive" on his web site.

For example, at 10:08 a.m. on 10/9/07 Gordon Fischer posted a comment at his web site about Hillary Clinton's high disapproval ratings. He used out of date numbers, did not mention the recent drops in Clinton's disapproval ratings and failed to note that her numbers were better than those of leading Republican candidates for president.

At 12:40 p.m. on 10/10/07 Fischer posted at his web site an open letter to Iowa Democrats. It questioned Hillary Clinton's decision to keep her name on Michigan's primary ballot. The open letter referenced the fact that Gordon Fischer is a past state chairperson for the Iowa Democratic Party. The open letter was probably also released in different formats at alternative forums and was issued at a time when the Obama campaign was also expressing concern about this matter.

At 12:50 p.m. on 10/11/07 Fischer noted on his web site that it was "Judgment Day" for the Obama campaign. He then referred his readers to a link provided by the Obama campaign to show their latest television commercial. At 1:47 p.m. that same day, Fischer posted further Michigan primary ballot comments by pointing to recent correspondence on the subject from a Des Moines city council member.

At 6:54 a.m. on 10/12/07 Gordon Fischer posted a negative comment about an alleged Hillary Clinton "flip flop" regarding her stance on Iran at his web site. Fischer referenced an Associated Press news item on the subject without mentioning that this article had subsequently been corrected and revised.

On the afternoon of 10/12/07 (or, in other words, later the very same day) local and national media reported on a speech Senator Obama made at Drake University in Des Moines. On this occasion Obama attacked Hillary Clinton by name and mentioned her "flip flop" on Iran.

#### The True Nature of Gordon Fischer's Web Site and the Events of 10/14/07

Obviously, Gordon Fischer's web site has ceased being just another political blog. Since at least 9/24/07 it has become a direct arm of the Obama for President campaign.

On 8/15/07 Fischer claimed his web site would be "one hundred percent positive." Since 9/24/07 it has been one hundred percent negative against Hillary Clinton.

At [www.iowatrueblue.com](http://www.iowatrueblue.com), Gordon Fischer solicits reader comments and (in his words) "negative ones, especially." Around noon on 10/14/07 I addressed a series of such comments to Fischer via his web site. I mentioned that I had seen a tab labeled

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"donate" at his web site and asked him why a donation to his web site would not have to be disclosed as a contribution to the Obama campaign.

Fischer did not respond to my question even though he is a practicing attorney and a past state chairperson of the Iowa Democratic Party. Surely Gordon Fischer must know how campaign finance laws work in this country.

Late in the afternoon of 10/14/07 I decided to write Fischer again and advised him that I was planning to file a complaint against him and his web site with the Federal Election Commission. In researching for that e-mail, I went back to [www.iowatrueblue.com](http://www.iowatrueblue.com) and noticed that the "donate" tab no longer existed. When I subsequently advised Fischer via e-mail of these facts, he responded with an e-mail of his own stating that I had my facts all wrong.

Within an hour of Fischer's e-mail response to me, I received yet another e-mail from the Clinton campaign in Des Moines about all the matters discussed above. Obviously, Fischer had been in touch with them in an attempt to interfere with my filing this complaint as a private citizen against him.

My Complaints to the Federal Election Commission

I am most concerned about the following matters:

1. The Obama campaign and Gordon Fischer are using [www.iowatrueblue.com](http://www.iowatrueblue.com) in a coordinated fashion as a tool for the benefit of Senator Obama's run for president. This should be disclosed at the web site and the costs of running this operation should be acknowledged.

2. Gordon Fischer has solicited donations to his web site without disclosing that they need to be reported as political contributions to the Obama campaign. Fischer probably has also attempted to cover up past donation solicitations by altering his web site after I made him aware of this matter.

3. Gordon Fischer has apparently attempted to interfere with my right (and obligation) to report these complaints to your offices.

4. As a practicing attorney and a former state chairperson of the Democratic Party in Iowa, Gordon Fischer should be held to the highest compliance standards in relation to both the letter and the spirit of election campaign laws.

I will await your comments.

Sincerely,

Kirk W. Tofte 10-30-07  
Kirk W. Tofte

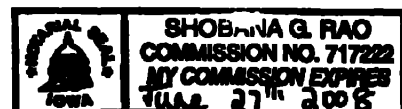
(witness) Ellen R. Graham 10/30/2007

(notary) Shobana G. Rao 10/30/07



Subscribed and sworn to before me on this 30<sup>th</sup> day of October, 2007.

Shobana G. Rao



Gordon Fischer

Des Moines, IA 50311

Monica Fischer

Des Moines, IA 50311

[www.iowatruebluc.com](http://www.iowatruebluc.com)

Gordon Website  
c/o Gordon Fischer

Des Moines, IA 50311

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